

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

V.

Case No. 4:22cr00483-3

JOSE MIGUEL RIVERA-DIAZ,

DEFENDANT

**DEFENDANT JOSE MIGUEL RIVERA-DIAZ'S
UNOPPOSED MOTION FOR CONTINUANCE**

TO THE HONORABLE CHARLES ESKRIDGE:

The Defendant in the above styled and numbered cause, Jose Miguel Rivera-Diaz, under the Sixth Amendment to the United States Constitution and 18 U.S.C. 3161(h)(8), respectfully moves the Court for an order continuing the trial of this matter for at least 90 days from the current trial setting of February 21, 2023. In support of this motion, Jose Miguel Rivera-Diaz would show the Court as follows:

I.

The Defendant is set for trial on February 21, 2023. Good cause exists for failure of the Defendant to request a continuance before this case was set for trial.

The Defendant needs additional time to prepare for trial because Discovery is still ongoing. Counsel and the Government have been working together to gather more information and move forward with this case.

Counsel was recently provided access to Discovery in this matter, and it is quite voluminous and it will take several visits with the Defendant to go over everything as he is incarcerated.

This Motion for Continuance is not made for purposes of delay, but that justice may be done.

The Defendant waives the right to a speedy trial conditioned on the Court's granting of this motion.

II.

Counsel for the Defendant conferred with Assistant United States Attorney Richard D Hanes about this motion on February 13, 2023. The government is not opposed to this motion.

Jose Miguel Rivera-Diaz prays that the Court enter an order setting trial of this cause for at least 90 days from the current trial setting.

Counsel for the Defendant also conferred with co-defendant attorneys, Mark Bennett (1) and Tatiana Obando (2) and they indicated that they are unopposed to this Motion.

Respectfully Submitted,

/s/ Mark Diaz
Mark Diaz
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Attorney for the Defendant,
Jose Miguel Rivera-Diaz

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the Defendant Jose Miguel Rivera-Diaz's Motion for Continuance was filed using the District Courts Electronic Filing system to Richard D Hanes, Assistant United States Attorney on the 14th day of February, 2023.

/s/ Mark Diaz
Mark Diaz